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54/07/11 Doctor Calls Second Lie Test Refusal Final

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DOCTOR CALLS SECOND LIE TEST REFUSAL FINAL

Ends All-Day Quiz; Lurker Report Is Checked

BY JOHN G. BLAIR AND
GEORGE J. BARMANN

Dr. Samuel H. Sheppard again late yesterday refused to take a lie detector test in the investigation of the brutal murder of his pretty wife, Marilyn.

Assistant County Prosecutor Thomas J. Parrino told reporters at the end of a nine-hour questioning of Dr. Sheppard: "I felt that he was now ruling it out completely."

Parrino said the last question asked Dr. Sheppard concluding the intensive interrogation of the handsome osteopath was whether he would submit to a lie test.

Cites Emotional State

The prosecutor said Dr. Sheppard observed that the lie detector would be "extremely unreliable" in his particular case because of his emotional state.

Parrino said Dr. Sheppard at first mentioned that a physical impairment in his left arm would interfere with a lie detector test.

When Parrino asked if Dr. Sheppard would take a test this week at his convenience, the osteopathic neurosurgeon said he did not feel he could take the tests under any circumstances in view of his emotional state.

"He said the test would not be a fair one," Parrino added.

Evades Newsmen

Dr. Sheppard left the Criminal Court Building, 1560 E. 21st Street, at 5:40 p. m. after having been in the fourth-floor sheriff's office since 8:20 yesterday morning.

Departing by a back door, the doctor evaded newsmen who wanted to question him.

While investigators were talking to Dr. Sheppard, the Bay Village police reported the first clues which would substantiate Dr. Sheppard's story of an intruder hacking his wife to death and beating him in a predawn Fourth of July night of horror.

Tell of Lurker

Leo Stawicki, 48, of 4511 E. 49th Street, Cuyahoga Heights, told police that he and his brother, Charles, 53, of 7812 Spafford Road S. E., saw a man lurking in the shadows near the Sheppard home at 2 or 2:30 on the murder morning.

The description by the Stawicki brothers tallied in some respects with that given by Dr. Sheppard of the man who killed his wife. Both had "bushy hair" and were about six feet tall or more. Both had white shirts.

Parrino said Dr. Sheppard had given a nine-page statement. The first four pages consisted of the doctor's recollections of the night while the rest were questions and answers.

T-Shirt Still Mystery

"He was able to give us no information whatsoever about what happened to his T-shirt," Parrino said, referring to the shirt worn by the doctor earlier in the evening and missing when he was found.

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Parrino said he asked Dr. Sheppard if he had any knowledge of the whereabouts of the missing T-shirt.

"I don't know," Parrino quoted him as replying.

A similar reply was given to Parrino's question "When was the T-shirt removed?"

"We discussed at some length personal relations between Dr. and Mrs. Sheppard," Parrino continued, "their relations toward each other and toward others."

Asked if he and his wife had been happily married, Dr. Sheppard replied that they were.

Hints at New Quizzes

"As a result of the questioning we may question some other people in Bay Village and elsewhere," Parrino said cryptically.

He said there was no plan to bring additional persons to the sheriff's office today, but added these plans could change.

During the exhaustive questioning Dr. Sheppard remained calm and composed, it was reported. He was permitted to smoke and had some coffee and milk. The questioners did not stop to eat lunch.

Newsmen Decoyed

The testimony was taken from Dr. Sheppard and typewritten directly by Assistant County Prosecutor Gertrude Bauer.

While Dr. Sheppard ducked out the back door, his brother, Dr. Stephen A. Sheppard, decoyed newsmen by going out the front door carrying his medicine bag.

The brother had paced nervously around the sheriff's office as "Dr. Sam" was questioned in an inner office. The brother was excluded from the quiz session.

Signs Each Page

Besides Parrino and Miss Bauer, those present were Deputy Sheriff Carl A. Rossbach, Cleveland Homicide Detectives Patrick A. Gareau and Robert Schottke, and Arthur E. Petersilge, Sheppard family lawyer.

Parrino said the actual taking of the statement ran from 11:40 a. m. to 4:15 p. m. At the end Petersilge and Dr. Sheppard read over the statement and Dr. Sheppard signed his name on each page, making a couple of corrections to the copy.

Itinerants Freed

The doctor's recollections of the murder night were substantially the same as he had given previously, Dr. Samuel R. Gerber, county coroner, reported. The coroner was advised of the contents by telephone.

Statements by Mr. and Mrs. Karl Schuele, 28944 West Lake, and their son and daughter, Karl, jr., 20, and Gretchen, 18, were taken by Patrolman Fred Drenkhan last night at the Bay Village police station.

The Schueles said they saw nothing unusual.

East Sider Held

A 43-year-old East Sider was held for questioning after being picked up for drunken driving on West Lake Road at 8 p. m. He was stopped near the Avon Lake line.

When Patrolmen Cy Lipaj and Howard Smith discovered a 33-inch-long cast iron piper under the seat of the car the man was held for questioning.

He said he was in the area driving after leaving a Lakewood construction job on which he was employed as a mortar mixer.

Bay Village police released three itinerant tree trimmers who had been held in jail 21 hours while investigation of their activities was carried on. Their alibis proved true, police said.

Also ruled out as a suspect was a Puerto Rican greenhouse worker who quit his job on Mastick Road suddenly the day before the murder. The man was arrested for breaking and entering in Willoughby and will be charged there.

Descriptions Differ

The Stawicki brothers differed in their description of the man they saw.

Leo Stawicki said the man was about six feet or more in height, while Charles thought he was shorter, "five feet six or eight."

They said they saw the

stranger about 10 or 15 feet from the north side of the road near the Sheppards' rambling home, 28924 West Lake Road.

Returning from fishing at Marblehead, the Stawickis and a third brother, Joseph, 4301 E. 72d Street, were towing a boat on a trailer behind their car. Joseph, 39, was asleep at the time.

"Stared at Us"

"I thought he was a hitchhiker," Charles said, "but Leo pointed out he was too far back from the road, standing under the trees. He just stared at us."

The man was described as wearing a white shirt and dark trousers.

"His hair was touseled and seemed like a crew cut grown in," Leo told the Plain Dealer. "His shirt was either a T-shirt or a sweat shirt."

"I think I could identify him if I saw him again," Leo said.

Leo said he did not connect the occurrence with the murder until he read of Dr. Sheppard's description of the intruder in the Plain Dealer.

Matches Description

His description closely matched that given by Dr. Sheppard of the man with whom he struggled after hearing his wife moaning in her bed.

Mrs. Sheppard, 31, was found chopped to death by 25 blows in the face and head a week ago this morning.

Dr. Sheppard, who suffered neck and head injuries, said he chased the intruder to the private beach behind the rambling suburban home. On the beach he tackled the man.

The doctor described his assailant as being "bushy-haired," and taller than himself. The doctor is six feet tall. Dr. Sheppard said the intruder wore a white shirt.

Bay Village police continued to

search the beach area, hoping to find the murder weapon.

Dr. Gerber said two fibers were found beneath the fingernails of the slain woman, mother of a 6½-year-old son, Chip.

One was a red wool fiber under the right thumbnail, the coroner said. The other appeared to be vegetable matter and was under the nail of the little finger of the left hand.

Blood stains on Dr. Sheppard's light cord trousers, which he was wearing when found on the living room floor of the home, were "not typable," Dr. Gerber said. Neither was the blood smeared on the wrist watches of Dr. Sheppard and his wife.